



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

Chris Christie  
*Governor*  
Kim Guadagno  
*Lt. Governor*

Robert M. Czech  
*Chair/Chief Executive Officer*

**SUPPLEMENTAL AGENDA OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
MAY 16, 2012**

**Robert M. Czech, Chairperson**  
**Robert E. Brenner**  
**Thomas J. Perna**  
**Richard E. Williams**

**SECTION B – MISCELLANEOUS MATTERS****B-41 SELINA ALLEN, ET AL.**

Selina Allen, Jennifer Bak, Kimberlee Doyle-Maloney, Andrea Lewis, and Jeannae Suiter appeal the decisions of the Division of State and Local Operations that the proper classifications of their positions with the Department of Children and Families are Residential Services Specialist 1 or Residential Services Specialist 2. The appellants seek Administrative Analyst 1 or Administrative Analyst 2 classifications.

**ACTION:****B-42 DANIEL EVERETT**

The appeal of Daniel Everett, a County Correction Officer with Burlington County, County Jail, of his resignation in good standing effective February 23, 2011, on charges, was heard by Administrative Law Judge John F. Russo, Jr., (ALJ), who rendered his initial decision on March 30, 2012. At its meeting on May 2, 2012, the Civil Service Commission adopted the ALJ's recommendation to uphold the resignation in good standing. However, the Commission found it necessary to address the exceptions filed by the appellant. The proposed final decision is now submitted for the Commission's review.

**ACTION:**

**B-43 PAID LEAVE BANK DAYS**

In *Communications Workers of America v. New Jersey Civil Service Commission*, Docket No. A-1110-10T3 (App. Div. January 18, 2012), the Appellate Division, Superior Court of New Jersey, reversed the adoption of N.J.A.C. 4A:6-1.2(l) and remanded to the Civil Service Commission to consider whether the creation of Paid Leave Bank (PLB) days in various Memoranda of Agreements between the State and the Communications Workers of America, Local 195 of the International Federation of Professional and Technical Engineers, Local 518 of the New Jersey State Motor Vehicle Employees Union, and the American Federation of State, County, and Municipal Employees was contrary to existing law and could not be implemented without Legislative action and, in the event the Commission concludes that Legislative action is not necessary, whether other provisions of Title 11A (Civil Service Act) and Title 4A permit the adoption of a regulation that mirrors the provisions of the MOAs.

**ACTION:****B-44 PROPOSED REPEAL: N.J.A.C. 4A:6-1.2(l), (m) AND (n) AND RELATED APPENDICES A THROUGH E, PAID LEAVE BANK PROGRAM**

Submitted for the Commission's approval is a Notice of Proposal of the repeal of N.J.A.C. 4A:6-1.21(l), (m) and (n) and related appendices A through E, paid leave bank program. These provisions are recommended for repeal as a result of the recent Superior Court, Appellate Division, decision in *Communications Workers of America, AFL-CIO, et al. v. New Jersey Civil Service Commission*, Docket No. A-1110-10T3 (January 18, 2012), which reversed the Commission's adoption of the paid leave bank amendments to the vacation leave rule at N.J.A.C. 4A:6-1.2. Therefore, it is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

**ACTION:**